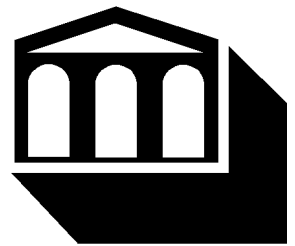


# **Child Protective Proceedings Benchbook**

A Guide to Abuse and Neglect Cases



**Michigan Judicial Institute**

Funding provided by the  
Court Improvement Program  
State Court Administrative Office

By **Tobin L. Miller, J.D.**

With assistance from the  
Child Protective Proceedings Benchbook  
Advisory Committee

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The research done on this benchbook is current through April 15, 1999. This benchbook is not intended to be an authoritative statement by the Justices of the Michigan Supreme Court regarding any of the substantive issues discussed. However, it does represent the consensus of the author and the advisory committee members regarding these issues.

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# Acknowledgments

The Child Protective Proceedings Benchbook was funded by the Court Improvement Program, the State Court Administrative Office (SCAO). The Michigan Judicial Institute (MJJI) thanks the Court Improvement Program and SCAO for their generous support.

Although this benchbook is primarily intended for use by judges and referees presiding over child protective proceedings in the Family Division of Circuit Court, it also contains information useful to all participants in the child protection system in Michigan. It is hoped that this benchbook will be of use to anyone who participates in that system, and that this benchbook will help those dedicated to improving the lives of Michigan's children.

Work on this benchbook was overseen by an Advisory Committee comprised of judges, referees, court administrators, social services administrators, prosecutors, private attorneys, and other experts involved in the child protection system in Michigan. Advisory Committee members assisted the author in selecting topics for discussion and organizing the material in the benchbook. They also spent many hours reviewing those portions of the text that addressed their areas of expertise. The Michigan Judicial Institute gratefully acknowledges the time, helpful advice, and expertise contributed by the Advisory Committee members.

The Advisory Committee members are:

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The Child Protective Proceedings Benchbook is one of three MJI benchbooks designed to meet the needs of judges and court employees assigned to the Family Division of the Circuit Court. This benchbook was preceded by the Juvenile Justice Benchbook, published in June, 1998, and the Domestic Violence Benchbook, published in November, 1998. Additionally, a Family Law Benchbook was published by the Institute of Continuing Legal Education in Ann Arbor and distributed to Family Division judges and court employees in Spring, 1999. The Family Law Benchbook was produced under a contract with the State Court Administrative Office.

Tobin L. Miller, MJI Research Attorney, researched and wrote this benchbook. Len Kowalski, MJI Publications Administrator, was the editor of Chapters 1, 2, 3, 8, 11, and 18, and the Hearing Checklists, and was the project manager. Mary Ann McDaid, MJI Multi-Media Development Specialist, was responsible for page layout, cover design, and coordination of reproduction. Sheila Kallish, MJI Office Assistant, assisted with distribution. Veronica Sionakides acted as copy editor and cite checker.

The Michigan Judicial Institute was created in 1977 by the Michigan Supreme Court. MJI is responsible for providing educational programs and written materials for Michigan judges and court personnel. In addition to the formal seminar offerings, MJI is engaged in a broad range of publication activities, services, and projects that are designed to enhance the professional skills of all those serving in the Michigan court system. MJI welcomes comments and suggestions. Please send them to: **Michigan Judicial Institute, P.O. Box 30205, Lansing, MI 48909, (517) 334-7805.**

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Kevin J. Bowling, J.D.  
Director, Michigan Judicial Institute

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John D. Ferry, Jr.  
State Court Administrator

**May 15, 1999**

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